

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Mercury Voice and Data)	
Company Changing their Name to Mercury)	<u>Case No. LN-2012-0126</u>
Voice and Data, LLC d/b/a SuddenLink)	Tariff No. YL-2012-0186
Communications)	

STAFF RECOMMENDATION TO REJECT TARIFF ADOPTION NOTICE


COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), through the undersigned counsel, and hereby respectfully files its recommendation and states as follows:

1. On October 25, 2011, Mercury Voice and Data Company (“Company”) filed a tariff adoption notice, to become effective on October 31, 2011, that would permit it to operate under the name Mercury Voice and Data, LLC d/b/a SuddenLink Communications.

2. Rule 4 CSR 240-2.062 establishes filing requirements for certificated company name changes; the Company has not complied with the rule. No notice to customers was included and, despite saying in its cover letter that the tariff filing had a 30 day effective date, the tariff bears a ten-day effective date from the date of the cover letter. Although the rule allows a ten-day effective date, the tariff adoption notice was filed on October 25, 2011, which would require that the effective date be November 4, 2011. The reason for the delay is that the tariff adoption notice was e-mailed to the Secretary of the Commission, rather than filed with the Missouri Public Service Commission (“Commission”) through its Data Center or through EFIS.

WHEREFORE, the Staff requests that the Commission reject the tariff filing as unacceptable and advise the Company that its tariff to introduce a new rate shall be properly filed in EFIS with a ten-day effective date, including the customer notice and otherwise complying with 4 CSR240-2.062.

Respectfully submitted,



Colleen M. Dale
Senior Counsel
Missouri Bar No. 31624
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-4255 (Telephone)
cully.dale@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 28th day of October, 2011.

